

13201.00070

#2
8-602
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ARNOLD MAI, ET AL.

Application No.: NYA

Filed:

For: STRIPPER ASSEMBLY

) Examiner: Unknown
) Group Art Unit:
)
)
) November 28, 2001
)
)

11046 U.S. PTO
09/994776
11/28/01

Commissioner for Patents
Washington, D.C. 20231

ATTENTION: Office of Petitions

RECEIVED

AUG 0 8 2002

OFFICE OF PETITIONS

PETITION UNDER 37 C.F.R. § 1.47(a)

Sir:

Applicant Arnold Mai respectfully petitions the
-----Commissioner to accept the above identified patent application on
behalf of himself and one other joint inventor (Mr. Phillippe
Jean Alphonse Seyler) who has refused to join in the application.

11/30/2001 SMINASS1 00000001 09994776

01 FC:122

130.00 CH

FACTS

1. On October 24, 2001, the undersigned sent to Mr. Seyler's last known address, via Federal Express Courier, a letter enclosing a complete copy of the patent application (including specification, claims, and drawings) together with the Declaration/Power of Attorney form. The letter requested Mr.

Seyler to review the entire application, and then read, sign, and date the attached Declaration. A copy of that letter is attached. See also the attached Declaration of Eric Spencer.

3. Applicants believe that Mr. Seyler's last known mailing address is:

Mr. Philippe Jean Alphonse Seyler
65 Avenue Victor Hugo
Luxembourg L-1750
Luxembourg

4. However, Mr. Seyler has not returned the requested forms attached to the October 24, 2001 letter. See the attached Declaration of Eric Spencer.

5. Accordingly, it is evident that joint inventor Mr. Seyler has refused to join in the application.

6. Applicants are filing concurrently herewith a Declaration and Power of Attorney, signed by the joint inventors, except Mr. Seyler.

RELIEF REQUESTED

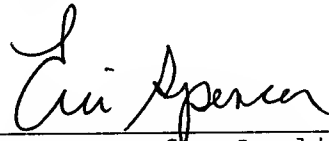
Since it is evident that joint inventor Mr. Seyler has refused to join in the application, Applicant Arnold Mai petitions the Commissioner to accept the subject application under the provisions of 37 C.F.R. § 1.47(a).

FEE

The Commissioner is hereby authorized to charge Deposit Account No. 50-1710 for the \$130.00 petition fee and any deficiency in this fee.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants
Eric Spencer
Registration No. 39,383

Patent Administrator
KATTEN MUCHIN ZAVIS
525 West Monroe Street
Suite 1600
Chicago, Illinois 60661-3693
Facsimile: (312) 902-1061

RECEIVED

AUG 0 8 2002

OFFICE OF PETITIONS

13201.000070

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
ARNOLD MAI, ET AL.) Examiner: Unknown
Application No.: NYA) Group Art Unit:
Filed:)
For: STRIPPER ASSEMBLY) November 28, 2001
:

Commissioner for Patents
Washington, D.C. 20231

ATTENTION: Office of Petitions

**DECLARATION OF ERIC SPENCER IN SUPPORT
OF PETITION UNDER 37 C.F.R. § 1.47(a)**

Sir:

I, ERIC SPENCER, hereby declare and state that:

1. I am an associate at Katten Muchin Zavis, and I am the person principally in charge of prosecuting the subject application.

2. On or about October 20, 2001, the Assignee advised me that Mr. Seyler was non-responsive to the Assignee's request that Mr. Seyler sign the Declaration.

3. On October 24, 2001, I sent to Mr. Seyler's last known address, via Federal Express Courier, a letter enclosing a complete copy of the patent application (including specification, claims, and drawings) together with the Declaration/Power of Attorney form. The letter requested Mr. Seyler to review the entire application, and then read, sign, and date the attached Declaration. A copy of that letter is attached.

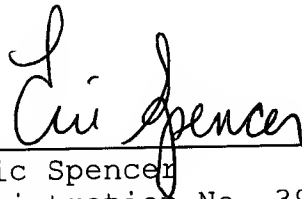
4. I sent the above-referenced October 24, 2001 letter to:

Mr. Philippe Jean Alphonse Seyler
65 Avenue Victor Hugo
Luxembourg L-1750
Luxembourg

5. However, Mr. Seyler has not returned to me the requested signed documents in response to the October 24, 2001 letter.

6. Accordingly, after diligent effort on my part, I conclude that joint inventor Mr. Seyler has refused to join in the application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the subject application or any patent issuing thereon.



Eric Spencer
Registration No. 39,383

KATTEN MUCHIN ZAVIS
525 West Monroe Street
Suite 1600
Chicago, Illinois 60661-3693
Facsimile: (312) 902-1061

Chicago
Los Angeles
New York
Washington, DC

1025 Thomas Jefferson St. N.W. Writer's Direct Numbers
East Lobby, Suite 700 (202) 625-3507
Washington, DC 20007-5201 (202) 339-8250 (fax)
Tel 202 625 3500 eric.spencer@kmz.com
Fax 202 298 7570
www.kmz.com

October 24, 2001

VIA FEDERAL EXPRESS

Mr. Philippe Jean Alphonse Seyler
65 Avenue Victor Hugo
Luxembourg L-1750
LUXEMBOURG

Re: U.S. Patent Application
For: Stripper Assembly
Our Ref.: 13201.00070

Dear Mr. Seyler:

I am a U.S. patent attorney in charge of prosecuting the above-referenced U.S. patent application before the U.S. Patent and Trademark Office on behalf of Husky Injection Molding Systems Ltd. of Bolton, Ontario, Canada. You are named as one of the joint inventors of this patent application.

Enclosed is a complete copy of the patent application, including a specification, claims, and drawings. Please carefully review the entire application.

Also enclosed is a Declaration/Power of Attorney form which we ask you to read, sign, date, and return to me at your earliest convenience. An Assignment is also enclosed, and we ask you to read, sign, date, and return that document to me as well. Please also correct your residence address on the forms, if necessary.

I have enclosed a pre-paid return Federal Express envelope so that you can return the signed documents to me. If you choose not to sign the Declaration, please indicate such in the space below my signature and return this letter to me in the enclosed Federal Express envelope. If we do not receive a response from you by November 26,

Mr. Philippe Jean Alphonse Seyler
October 24, 2001
Page 2

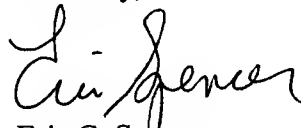
K M Z

2001, we will take this as a refusal on your part to execute the Declaration. In such a case, we will proceed to prosecute the above-referenced patent application under the provisions of 37 C.F.R. § 1.47 "Filing when an inventor refuses to sign or cannot be reached."

Please be advised that you are required to keep the materials provided herein confidential in accordance with your employment agreement with Husky.

Please do not hesitate to call me at (202) 625-3574 if you have any questions regarding this matter.

Sincerely,


Eric C. Spencer

Enclosures: U.S. patent application
Declaration/Power of Attorney
Assignment

cc: G. Gow

I refuse to sign the Declaration/Power of Attorney.

Name

Date